

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

TERRY PEARSON,

Plaintiff,

-against-

CORRECTIONAL OFFICERS DAN PORLIER, MIKE
BROCKLEY, SGT SCARLETTO, NURSE CLAPPER,

Defendants.

**STIPULATION AND
ORDER OF PARTIAL
DISCONTINUANCE
PURSUANT TO RULE
41(a)**

15-CV-1427

DNH/DJS

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, Fred B. Lichtmacher, Esq. appearing on behalf of plaintiff Terry Pearson (DIN 07-A-0716), and Eric T. Schneiderman, Attorney General of the State of New York, Oriana Carravetta, Assistant Attorney General, of counsel, appearing for defendants Dan Porlier, Mike Brockley and Sgt. Scarletto, parties to the above entitled-action, that, whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, plaintiff hereby discontinues any claim of deliberate indifference to medical care under the Eighth Amendment against defendants Dan Porlier, Mike Brockley and Sgt. Scarletto with prejudice and without damages, costs, interest or attorney's fees.

Dated: New York, New York
8/17, 2016



Fred B. Lichtmacher, Esq.
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2 Wall Street, 10th Floor
New York, NY 10005

Dated: Albany, New York
June 6, 2016

ERIC T. SCHNEIDERMAN
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Scarletto
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By: s/ Oriana Carravetta
Oriana Carravetta
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Dated: Albany, New York
_____, 2016

SO ORDERED:

HON. DANIEL J. STEWART
UNITED STATES DISTRICT COURT JUDGE